

## **REMARKS**

Claims 22-40 were presented and examined. In response to the Office Action, Claims 22, 27, 31 and 37 are amended, and no claims are cancelled or added. Reconsideration of the pending claims is respectfully requested in view of the above amendments and the following remarks.

### **I. Claims Rejected Under 35 U.S.C. § 101**

Claims 27-40 are rejected under 35 U.S.C. § 101 as not falling within one of the four statutory categories of invention. Applicants have amended independent Claims 27, 31 and 37 to include the specific apparatus for performing the recited operations. Claims 28-30, 32-36 and 38-40 are dependent upon amended independent Claims 27, 31 and 37, respectively. Applicants respectfully request that the Examiner withdraw the rejection under 35 U.S.C. §101

### **II. Claims Rejected Under 35 U.S.C. § 103(a)**

Claims 22-40 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,574,423 issued to Oshima et al. (“Oshima”) in view of U.S. Patent No. 6,553,147 issued to Chai et al. (“Chai”) and U.S. Patent No. 6,052,343 issued to Yamanaka (“Yamanaka”) and U.S. Patent No. 7,035,453 issued to Liu (“Liu”).

Applicants amend independent Claims 22, 27, 31 and 37 to recite “wherein the packetizer constructs a packet and adds header information to the packet to include the viewpoint information and the display discrimination information” or analogous elements. The cited references do not disclose these amended elements.

The Examiner indicates that Oshima discloses the recited display discrimination information and Liu discloses the recited viewpoint information. Oshima does not disclose the use of display discrimination information in a constructed packet header. Rather, Oshima discloses a stereoscopic identifier used in a DVD logic format for recording (col. 16, lines 5-10).

The Examiner cites a new reference, Liu, in this Action. The Examiner relies on Liu for disclosing the inclusion of the number of viewpoints in the multiplexed packet stream. Liu also does not disclose the use of viewpoint information in a constructed packet header. Rather, Liu discloses identifying a processing group in a bitstream in a proprietary format (see col. 4, line

15). Therefore, the two references do not teach or suggest that the display discrimination information and the viewpoint information are added to the constructed packet header, as recited in amended Claims 22, 27, 31 and 37.

The Examiner further relies on Chai for disclosing video encoders compatible with MPEG-4. Chai discloses packetization in MPEG-4. However, there is no indication in the cited references that a constructed packet includes display discrimination information and viewpoint information in the header. As discussed above, Oshima and Liu describe data formats that are distinct from the packet header, as recited in amended Claims 22, 27, 31 and 37. Liu further discloses the disadvantage of using the MPEG format (see, col. 2, lines 5-10). Thus, Liu has taught away from the MPEG-4 disclosed by Chai, and is therefore not combinable with Oshima and Chai.

The Examiner further relies on Yamanaka for disclosing the use of optical head to transmit or write data onto optical media. However, Yamanaka does not supply the missing elements in Oshima, Chai and Liu with respect to the packet construction, and the viewpoint information and the display discrimination information in the packet header, as recited in amended Claims 22, 27, 31 and 37.

The other references, Chai, Yamanaka and Liu, do not supply these missing elements in Oshima. Thus, for at least the foregoing reasons, Claims 22, 27, 31 and 37 and their respective dependent claims are non-obvious over the cited references. Accordingly, withdrawal of the §103 rejection is respectfully requested.

### **CONCLUSION**

In view of the foregoing, it is believed that all claims are now in condition for allowance and such action is earnestly solicited at the earliest possible date. The Commissioner is hereby authorized to charge our Deposit Account No. 02-2666 for any fees due in connection with the filing of this response.

Respectfully submitted,

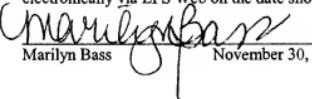
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